

ARIZONA STATE PARKS BOARD
2360 McCULLOCH BLVD. N., LAKE HAVASU, AZ
FEBRUARY 16, 2006
MINUTES

Board Members Present

William Porter, Chairman
Elizabeth Stewart
William Cordasco
William Scalzo
John Hays

Board Members Absent

Janice Chilton
Mark Winkleman

Staff Present

Kenneth E. Travous, Executive Director
Jay Ream, Assistant Director, Parks
Mark Siegwarth, Assistant Director, Administration
Cristie Statler, Executive Consultant
Rick Knotts, Northwest Region Manager
Debi Busser, Executive Secretary

Attorney General's Office

Joy Hernbrode, Assistant Attorney General

A. CALL TO ORDER - ROLL CALL – 9:00 A.M.

Chairman Porter called the meeting to order at 9:20 a.m.

B. INTRODUCTIONS OF BOARD MEMBERS AND AGENCY STAFF

The Board and staff introduced themselves

C. WELCOME TO LAKE HAVASU

Mr. Porter thanked the City of Lake Havasu for hosting this Board meeting. They have been very gracious. The Board appreciates the use of this facility and the dinner Wednesday evening.

D. CONSENT AGENDA - The following items of a noncontroversial nature have been grouped together for a single vote without Board discussion. The Consent Agenda is a timesaving device and Board members received documentation on these items for their review prior to the open meeting. Any Board member may remove any item from the Consent Agenda for discussion and a separate vote at this meeting as deemed necessary. The public may view the documentation relating to the Consent Agenda at the Board's office, 1300 W. Washington, Suite 104, Phoenix, Arizona.

- 1. Approve Minutes of January 19, 2006 Arizona State Parks Board Meeting**
- 2. Approve Executive Session Minutes of January 19, 2006 Arizona State Parks Board Meeting**

Mr. Scalzo made a motion to accept the Consent Agenda. Mr. Hays seconded. The motion carried unanimously.

E. DISCUSSION ITEMS

1. Discussion of Use of Lake Havasu State Park

2. Discussion on Potential New Development at Lake Havasu State Park

Chairman Porter noted that yesterday afternoon three members of the Board (the Chairman, Ms. Stewart, and Mr. Cordasco) participated in an on-site visitation to the undeveloped portion of the Arizona State Parks (ASP) property here in and about Lake Havasu City commonly referred to as Contact Point. There were a number of members of staff and a large number of people representing other governmental agencies, local business interests, the Chemehuevi Indian Tribe (the Tribe), and others – all of whom had a opportunity to give an overview of where they are coming from. That information was appreciated. For the benefit of the two Board members who were not able to be there, as well as the two who could not be present today, most of that information will be repeated this morning for the record.

Chairman Porter noted that there are a significant number of people have indicated their desire to address the Board today. He asked staff to present an overview prior to taking public comment on this Agenda Item.

Mr. Ream, Assistant Direct, Parks, reported that staff and Board members visited Contact Point yesterday and heard from a number of people. ASP has owned Contact Point for some time. In fact, the agency operates the Water Safety Center there and, through a cooperative agreement with various agencies, runs the Public Safety Boat Dock at that site. Staff have been contacted over the years from various agencies wanting to develop Contact and have been working with BLM on a land exchange that went through in 1995. The entire exchange has not been fulfilled to date that encompass two sections. Staff were waiting for that exchange to be accomplished. In 2001 ASP, and the State in general, suffered a budget crisis that forced most of the agency's plans for Contact Point at that time to be tabled until development funds became available again.

Mr. Ream added that the idea of development at Contact Point was revitalized at Contact Point a few years ago when the Tribe contacted staff regarding a possible ferry dock and receipt of a letter from the Mohave Co. Sheriff regarding redevelopment of the Public Safety Center at Contact Point. Just a few months later, the City of Lake Havasu contacted staff via the Parks Board Chairman to find some relief for the agency's ramps in town at Lake Havasu State Park (Windsor). That is what brings us to this meeting today. The Chairman decided to hold this meeting in Lake Havasu so all the interested parties could attend, see what staff are up against, and the things they would like to do.

Mr. Travous noted that the context of the issues before the Board are illustrated on the pictures that are exhibited around the room. He gave a brief presentation yesterday that included some statistics. He did not bring a copy of that presentation today, but will send a copy of it to all the Board members. He noted that last year there were more than 350,000 visitors to the park; 80% were from out-of-state; 60% of those people were from California; 9% of the visitors were foreign; the park is a big economic boon to the county and the local community; ASP makes about \$800,000 per year on the entry and camping fees. At the same time, staff see the pictures in this room and know that times are hard when one looks at that many boats trying to get on the lake. He also noted that the lake itself is not at carrying capacity. The real issue is finding land capacity for

people to get on the lake. Currently, they are constricted to just a few boat docks on the Arizona side. He will forward the analysis of visitation at Lake Havasu in the next Board packet.

Chairman Porter asked that that information be appended to the Minutes of this meeting.

Chairman Porter invited the public to address the Board. At Ms. Stewart's request he asked the speakers to try to limit their discussions to about five minutes to allow the Board plenty of time to ask questions and discuss the information. He noted that the Sheriff would probably be the exception to that request.

Mr. Charles Wood, Chairman, Chemehuevi Indian Tribe, addressed the Board. He stated that the Tribe became involved about four years ago with an idea about a new docking facility. At that time, they saw the trend of the River and of the Channel. They operate a fairly large boat. The Tribe is the only tribally-owned transit authority that he knows of in the nation. They are the only transit authority that runs a ferry. The Tribe is a legitimate transit authority operating under those guidelines under the State – and, they are interstate.

Mr. Wood stated that the Tribe has both short- and long-term visions concerning the ferry. One is the channel. They operate a large boat and will be getting a larger boat that will still be smaller than the existing Dixie Belle in about 18-24 months. They have some specific requirements in the turning ability for that boat. One of their fears is that the channel becomes crowded on weekends and holidays and they are trying to operate a large boat in a more restricted area with people who are cruising the channel.

Mr. Wood stated that their long-term plans include Grass Island. They have been in discussions with developers over the years. They recently heard from four developers who want to begin development in that area. They have discussed up to 1300 homes, possibly 3 marinas with attached boat ramps, resorts, spas, and golf courses. When they entered this discussion four years ago the Tribe was only talking about a boat ramp for themselves – a new location for that boat. As time went on and more people got involved, the idea of an ecological center and the various agencies came up. That truly excited them. They want to be a partner to the City; they share a common resource that is beneficial to both entities. He noted that the Tribe transported nearly 400,000 people last year on their ferry system. They saw that as an opportunity to bring 400,000 people past the doors of that ecological center. They saw themselves as a partner to that endeavor in bringing that amount of traffic to that center. They could jointly work to the benefit of the City, BLM, BOR, and the Tribe. Their long-term interest, therefore, is the southern development. That docking facility would allow the Tribe a very short, continual run instead of the one-hour run they currently have. While the new boats will be larger, they will still be smaller than the existing Dixie Belle. The impression will be that they are running a huge ship into the channel. It was made very clear in the design that it must remain smaller than the existing boats that are there.

Mr. Wood added that he has seen the site from the water many times. Yesterday was the first time he actually walked up onto Contact Point. It is a million dollar view. It is a perfect place for the envisioned eco-center and footpaths. They would like to be a part of it. They believe it will be a benefit to the community as a whole.

Ms. Stewart stated that she had a couple of questions of Mr. Wood. She asked how long the new boat will be.

Mr. Cox, Planner for the Chemehuevi Tribe, responded it will be 64' long (the present boat is 57' long).

Mr. Wood added that it will be 4' wider and 6' longer than the present boat.

Ms. Stewart asked how often the current ferry runs.

Mr. Wood responded that it currently runs on the hour, makes the round-trip, and comes back. The first boat leaves 6:30 a.m. and runs until 12:30 on weekdays and 2:00 on weekends.

Ms. Stewart asked whether an environmental or ecological center would be of interest to a percentage of their clientele.

Mr. Wood responded affirmatively. People come out on vacations. They offer a lot of off-road possibilities for people who drive. He believes a lot of people would find an ecological center very important to them. The BLM office has a beautiful aquarium with the hunched-back sucker and the razorback. They are endangered fish that no one ever sees. He believes it would be very important for people to come and visit to see that kind of thing and to learn about the area. If they knew there was a destination to come to, it would be very important to them.

Mr. Wood added that, in looking around the room, there are photographs of the sandbar and Copper Canyon where there are times one cannot see the water because of all the boats. There was discussion yesterday about the "social" aspects of those types of areas. When people are turned away, they aren't getting to launch because of a lack of facilities. If another 250 boats are allowed on the River or on the Lake, there is a concern about what percentage of them are headed to those areas. They see their development of a resort, spa, tennis courts, etc., as perhaps taking some of those people from those locations and bringing them to their side for more constructive behavior such as golfing and alleviating some of that social activity on the lake.

Mr. Scalzo asked if the Tribe is interested in coming to the land and building the dock facilities, perhaps ramps, and the environmental education center at their cost and deeding it to the State.

Mr. Wood responded that he did not believe the Tribe could actually do that. They were looking strictly at a ferry docking facility that they would build, along with associated parking, etc. There are no payments involved with that use of the public land at this time – discussions never progressed that far.

Mr. Dick Gilbert, US Fish & Wildlife Service, addressed the Board. He noted that he manages the Bill Williams River National Wildlife Refuge (Refuge) for the US Fish & Wildlife Service. He thanked the Board for the opportunity to speak this morning. He stated that he is here today representing a partnership of Federal, State, and Tribal land managers and the Arizona Community Partnership to discuss a concept they believe is important to the land management agencies, the public, and the community. That concept involves development of an interagency visitor/environmental education center that would include ASP, AZ Game and Fish Commission, Bureau of Land Management (BLM), Bureau of Reclamation (BOR), US Fish & Wildlife Service, and the Tribe. Lake Havasu is truly a gateway community. The public come here, stages in the

community, and disperses onto public lands to recreate. Their collective Federal, State, and Tribal lands adjoin each other – all with legal jurisdiction; all with different mandates, priorities, and regulations. It is confusing to the various entities at times and is certainly confusing to the public. One thing is certain. With the lands bordering each other, the entities have an identity crisis. A uniform to the public is a uniform. They don't know one from the other. For the public, it requires visitation to several facilities in the area to find out what the regulations are and what recreational opportunities are available. The land managers find themselves constantly dealing with public safety, law enforcement, facilities management, maintenance, sometimes habitat degradation from too much use, and shrinking budgets in an area that receives heavy public use.

Mr. Gilbert discussed the importance of the facility to the agencies and the community. The partners see the facility as a one-stop information center to educate the public on the various missions, abundance of recreational opportunities, location of facilities, and basic "DOs and DON'Ts" on public lands. Basically, it will be a place where the entities can showcase their agencies and ensure that the public has the necessary information to recreate in a safe and responsible manner.

Mr. Gilbert added that the partners see the facility as an environmental education center for schools, civic groups, the community, and the visitors with hopes that some of the long-term benefits include diversifying tourism, creating an improved awareness for stewardship of public lands, and, consequently, fewer problems for land managers. It would provide a central location for public education as well as improving local awareness of the need to preserve the natural resources and scenic beauty – those attributes that we all share are the same attributes that will sustain tourism for the long-term.

Mr. Gilbert stated that, like many visitors centers throughout the country that are inter-agency centers, their vision is that the facility be operated by a non-profit friends group through a board of directors that ensures that the basic intent of the center is maintained as an education and an information center.

Mr. Gilbert stated that this is not a request from the Board for funding or a commitment of staff. Because ASP plays such a significant role on the Colorado River and the Lake, they want ASP as a partner in this venture. This request is simply that the Board endorse continued cooperation of ASP staff to further develop the concept working through this partnership to decide if it is really a viable endeavor. They also request that the State Parks Board consider the location of such a facility at Contact Point. The location fits the need for easy access from the main thoroughfare; it is near the lakeshore where environmental education can take place; and it fits in with other planning efforts that include preserving lakeshore habitat, hiking and birding trails, launching facilities, and possibly other development that may be proposed for Contact Point.

Mr. Travous asked if any environmental education takes place on the Refuge.

Mr. Gilbert responded affirmatively. They don't, however, have facilities onsite.

Ms. Stewart asked what the visitation at the Refuge is.

Mr. Gilbert responded that, annually, it is running about 75,000 visitors per year. This time of the year they are seeing about 4,000 visitors per month who just stop by their headquarters.

Ms. Stewart asked, based on what they are seeing at the Refuge, if he feels there would be a fair number of people coming to an environmental educational center exclusively in addition to the school children.

Mr. Gilbert responded affirmatively. He noted that, in looking at some of the recreation figures, birding alone is a business that is about 5-6 times monetarily what off-road vehicle business draws in.

Ms. Stewart asked if Mr. Gilbert anticipated, if this center were at Contact Point, that they would want some open space for the educational opportunities and a nature trail.

Mr. Gilbert responded affirmatively.

Ms. Stewart noted that she's been to a number of these centers around the country that are multi-agency land offices and found them to be very helpful when traveling in the West. Some have varying degrees of formal educational opportunities. She asked if there is a model Mr. Gilbert suggests – one that really emphasizes the environmental education.

Mr. Gilbert responded affirmatively. He stated that there are numerous models around the country. He is very familiar with one that is on a Refuge in New Mexico. Their friends group just acquired a half-million dollar grant to add an educational wing to their visitors center. It is at Busckee de la Apache Refuge, Socorro, New Mexico. There are numerous interagency centers. Las Vegas has very active center; the Palm Desert area has a relatively new center.

Mr. Ken Komick, Komick Construction, addressed the Board. Mr. Komick stated that he has been developing in Lake Havasu City since 1975. About 20 years ago the City realized the real need for a mainland marina to relieve some of the pressure off of the London Bridge because the other marinas are only on the island right now. The City came to him at that time and asked him to try to develop a mainland marina. Since then there have been four different proposals of four different areas that they thought would be desirable for a marina. The most recent is Contact Point, which is far and away the best area for the marina. There is a large photograph displayed of that area. When they took the aerial picture and viewed it from the water they realized that something more than just a marina could go in here because it is so beautiful. They thought it could be a multi-faceted destination spot, especially now with the Tribe wanting to put their ferry boat in there, the cultural center, and the ASP Board's office there. It is one-stop spot to get all the information for the lake. It would be a great place to put various other entities such as a restaurant, a small hotel, etc., to make it more than just a boat ramp.

Mr. Komick stated that about half a dozen different designs were done for this area that included parking, a marina, boat slips, boat ramps, and commercial activities to make this site a beautiful destination spot.

Chairman Porter noted that there was one important discussion from yesterday that caught his attention missing from this discussion.

Mr. Komick stated that through the years they realized that, especially since the budget crisis in Arizona, the money is a big problem on this project. He noted that it is a little self-serving on their part; he's been involved with the City for a long time and has seen the need for a marina. He and his nephew have a 250-acre piece of property that is just adjacent to this site that they have also been working on for a very long time. They

believe this is a great opportunity to do both of these properties simultaneously. They will benefit from a marina, but they will be bringing in infrastructure and the roads. They would be willing to fund this project. They could help with funding; they could fund it. They would be happy to run it for the agency or let the agency run it. They are completely open on it. The idea is that they would like to see the development happen. He believes that it is critical at this time. As far as the marinas that are currently operating, critical mass has been reached. Time is critical as far as the whole lake is concerned.

Mr. Komick noted that there were a number of maps. The map that was displayed did not show the complete road system they planned. He referred to that map and showed the continuation of the road that now comes to Contact Point. He pointed out Acoma Blvd., one of the main boulevards in town. They planned to connect it so there will be a loop with Acoma Blvd. passing through with a lighted intersection. There would, then, be two entrances to the marina.

Mr. Scalzo noted that, should the Board wish to move forward on this general concept with all of these groups, a study would need to be performed. He asked if Mr. Komick's company would be willing to fund that study should a consultant be needed.

Mr. Komick responded affirmatively. He stated that they have already spent a great deal of money on this. The plan they drew up was done by engineers. The road alignments, etc., were all considered so that they will work.

Mr. Scalzo responded that he is referring to a feasibility study and what each partner could do, both private and public, to get a better feel for it. Sometimes a little more money has to be spent in order to get that package together. While the Board can hear everyone's perspective, they may not necessarily get the big picture. He asked whether Mr. Komick was willing to provide funding for that study.

Mr. Komick responded affirmatively. This is an opportunity to get both public and private interests involved.

Ms. Stewart noted the Mr. Komick stated he owns 250 acres adjacent to Contact Point. He also discussed a marina. She asked whether the marina would be public or private and whether it would be on his land or Contact Point.

Mr. Komick responded it would be a public marina. He pointed out on the map the areas that would be parking for the boat ramps, where the boat ramps would be, and where the marina would be. It would all be part of Contact Point. There are three parking areas: one for boat slips, one for the boat ramps, and one for the ferry boat. They were trying to keep the elements separate to decrease traffic congestion.

Ms. Stewart asked how many boats Mr. Komick anticipated being at the marina.

Mr. Komick responded that they planned for 400-500. There is not a lot of room for a huge marina. The big thrust is to get the boat ramp; the marina was more for short-term rentals, guest docks, etc., that would accentuate the project.

Ms. Stewart referred to the environmental education center and asked if there is a location planned for it in his plan.

Mr. Komick responded affirmatively. In discussions during the meetings they've held on this issue, they thought it would be closer to the highway so more people would see it. It could be both an information and cultural center.

Ms. Stewart asked where the open space for the trails would be.

Mr. Komick responded that they haven't planned the trail system yet. They offered to give property through their holding and long their property to continue the trail system. BLM would like to have a trail system that went all the way from the Bridge to the Bill Williams River. They would do their part on that, also.

Mr. Michael Fassari, resident of Lake Havasu City and San Bernardino County Sheriff's Office. Mr. Fassari stated that the California law enforcement portion of this fully recognize that 60% or more of the boats out there are California residents that impact Arizona and Lake Havasu City. They work diligently to cooperate with the local agencies in handling situations that arise from their residents who come here for recreation. As a resident of Lake Havasu City, along with about 60% of the San Bernardino County law enforcement officers working out of Needles who live in Lake Havasu City, he noted that they also have some buy-in as to what occurs locally. In looking at the pictures, one can see that there is already a great deal of boats in the upper portion of this lake. The lake is not at capacity; the south portion of the lake is generally, even on a holiday weekend, fairly open and safe. If a marina facility and more launch facilities are created adding another 1500 or more boats along with what the Tribe has planned (1300 homes) the public safety access and facilities on the lake must be maintained or improved. With a marina facility going in as it shows on the picture adjacent to where the current Public Safety ramps are, there is an issue of concern relating to security for those vessels. They are left in the water all the time. Currently, not many people go back in there; however, the issue of constant access needs to be considered.

Mr. Fassari stated that, due to the graciousness of ASP and Mohave Co., keep some boats down there during the summer. If they have an emergency call, because most of their officers live in town it's only 5-10 minutes to get to the boat to get out there and take care of the people who are hurt or injured as opposed to driving all the way around. He understands that they were less than visionary several years ago when the project was developed and did not come on board. At his level, he can't make any commitments. He has been told that they would be more than willing to cooperate in whatever aspect may be necessary for improvements to this facility. As a resident, he stated they need more marinas and launch ramps. However, the Public Safety ramps and facilities need to at least be maintained if not improved.

Chairman Porter noted that the public safety issue is one that he made very clear yesterday and in the past is very important to him.

Mr. Travous added that it wasn't just San Bernardino's lack of vision; when staff put this together they didn't think about that as well.

Chairman Porter asked if staff have been giving thought to the Public Safety facility.

Mr. Ream responded that it will be the top component of whatever is done at Contact Point.

Ms. Stewart noted there is an existing Water Safety Center. She asked how all of these things will impact that facility.

Mr. Fassari responded that the Water Safety Center, the large green-roofed building, works great as an educational facility and office facility. The rather small metal building near the boat ramp that Mohave Co. currently utilizes is actually the go-to,

day-to-day headquarters of most of the agencies who are out there. By the use of the composting rest room facility and the damage to the flora, one can see that it gets a lot of use. The area near the water is more beneficial to what law enforcement needs to do. People get injured on the lake; their families come in to find out what's happening to them. They tow boats in; people come to pick up their boats. That's the area people go to when they have contact. When it's 128 degrees outside, people can't really make it up to the Water Safety Center building. Something on the water works well.

Mr. Fassari noted that they have tried to contribute some. They bring inmate worker crews over on their boats to help clean up the facility. He again expressed his appreciation for use and access to that facility. He noted that the loss of that facility or the loss of the security in that area would not only be detrimental to them but to all of the other agencies around the area.

Ms. Stewart asked if they would be able to get out on the water as rapidly as they would like if all these other things were going on there.

Mr. Fassari responded that he could use Windsor Beach and Site 6 as examples. Two of the most dangerous areas due to congestion that occurs in the afternoon when people are trying to go in are adjacent to the launch ramps. Having Public Safety vessels rolling in and out of there with injured parties or responding to accidents needs to be considered. Perhaps there could be an access-way or a buoyed-off area that just gives access on the south end of the facility.

Chairman Porter noted that staff suggested that the facility might need to be moved.

Mr. Ream responded that because that facility is inadequate now, it would have to be rebuilt. It might be reasonable to have the agency's engineers look at relocating it to a place separate from the large marina complex. If it needs to be rebuilt now, why not use it for public access and find another location on the property for the Public Safety facility that would have its own ingress and egress and its own parking system completely away from the public area.

Mr. Scalzo noted he was intrigued by what he thought he heard as an offer of financial assistance from California law enforcement. He asked if he heard correctly.

Mr. Fassari reminded the Board that they had to understand that, at this level, he does not have the authority to offer financial assistance. However, in speaking with his supervisors and in daily dealings with the California Department of Boating & Waterway, he is aware of funds that are potentially available for leasing space. That would be something that could be addressed in their budget in future years. They may be able to come to some kind of agreement on those issues.

Mr. Scalzo asked if that may be some kind of funding that might help defer the cost of operating a facility of that type.

Mr. Fassari responded that they currently have a small water safety center at Park Moabi across from Topac that is a portable building with a launch ramp. They pay, from their budget, \$5,000-\$10,000 per year to the park for leasing that facility for which the state reimburses them. When that building was paid for, their lease discontinued. They are working on other facilities – Rock House on the Parker Strip in cooperation with BLM – where that money will be going. In looking at what build-out might be on this facility, it could follow in line.

Chairman Porter stated the Board's appreciation for Mr. Fassari's input. There is no question that the importance of this lake that is shared between these two states is going to become more and more a vital joint endeavor.

Mr. Fassari added that the location of Contact, from their perspective, is perfect. It is right across from Copper Canyon. Moving it a significant distance would be of less benefit to them. To have a dedicated facility for public safety would still be important.

Chairman Porter noted that Mr. Tom Sheahan, Mohave County Sheriff, would address the Board next. He noted that he owed Sheriff Sheahan an apology for not bringing the copies of the write-up the Sheriff's office put together for the Board with him. He asked that the document be copied and distributed to the Board.

Sheriff Tom Sheahan, Mohave County Sheriff, addressed the Board. He thanked the Board for this opportunity. He stated that he is having copies made of the letter prepared by his Lieutenant of their facility at Contact Point – the Water Safety Center – and its shortcomings. There are many shortcomings.

Sheriff Sheahan stated that any increased activity on the lake will certainly need increased law enforcement presence and a facility for education and enforcement. He noted that the Water Safety Center at Contact Point was opened in 1994 with State Lake Improvement Funds (SLIF). This facility was originally designed to house the regional headquarters for ASP and dedicated as an operational facility for four law enforcement agencies in Lake Havasu, including ASP, AZ Game and Fish, Mohave Co. Sheriff's Office, and the US Coast Guard. Because of all the issues that were dealt with in Lake Havasu over the many years and all working together as one unit, it has now become a facility for the Mohave Co. Sheriff's Office, the San Bernardino Co. Sheriff's Office, Lake Havasu Police and Fire Departments, the Coast Guard, AZ Game and Fish, ASP, BLM, US Fish & Wildlife Service, and California Game and Fish. It has become a centralized facility for all those entities to use to not only enforce the laws of Lake Havasu but also to educate the public. Part of their job is to not only enforce the laws, take OUI offenders off the lake, and investigate accidents, but also to educate the public and allow them to enjoy the great facilities that are here – the boat ramps, the lake – and have this lake become and continue to be the lifeblood of Lake Havasu and the Colorado River Communities.

Sheriff Sheahan stated that the main building at the facility houses office space for these agencies and contains a training room as well as three bunk rooms. Aside from ASP and use of the training rooms, the facility is not utilized by the public safety agencies. Their facility is basically a converted garage with no indoor bathroom facilities for males or females, visitors, staff, or even arrestees. Situated below the administrative building is that operations and storage area. The storage building, which houses the operations building, was never designed or intended for its current use. However, it is the main area for all law enforcement agencies he mentioned that work out of it. It has numerous shortcomings and is certainly completely inadequate for the current need. With this facility being utilized by multiple agencies, parking and storage is grossly inadequate. The dock area has insufficient slip space coupled with the deteriorated and dilapidated condition of the docks that leads to additional problems and concerns.

Sheriff Sheahan added that in the past they have tried to mitigate their ever-rising fuel cost by putting in a fuel facility that all the agencies could use, possibly by utilizing a card system. That endeavor has been unsuccessful.

Sheriff Sheahan stated that the security and equipment of the facility is a constant concern due to the easy public access. Anyone can go down there at any time. Lighting of the facility is poor and nonexistent in some areas. The facility has had no major renovations in the last 10-12 years. It was never designed to be utilized in its current manner. They are stuck with what they have right now. It is insufficient to meet the needs of public safety at Lake Havasu, the most heavily-used waterway in the State of Arizona. With the possibility of additional ramps being built, additional infrastructure, and additional boats on the water, they need to have this facility upgraded, rebuilt, or a new facility built for its present use. Even more so, they need additional slips for law enforcement and fire service to serve the needs of the public, the citizens of Lake Havasu City and Mohave Co., and the visitors who bring in the income that is the lifeblood of this community.

Sheriff Sheahan introduced his District Commander, Lieutenant Randy Johnson, who works day-to-day on the lakes and rivers in this county and is in charge of their boating program.

Lt. Randy Johnson addressed the Board. He thanked the Board for the opportunity to speak this morning. He noted that Sheriff Sheahan covered most of what he wanted to talk about. He stated that he wanted to emphasize a couple of points. He noted that this facility is utilized by more than just the Sheriff's Office. It is an essential operating center for all law enforcement and public safety on Lake Havasu. Some of Board have toured the facility and know that it has a great many shortcomings. It is grossly inadequate and was never designed to be operated in the manner that it is being operated. Essentially, the main building was supposed to be the operations center. It has not operated in that capacity since the Coast Guard left Lake Havasu. They never utilized that building for their public safety efforts because it simply is too far away from the water and it was not designed properly, in their opinion, for their mission.

Lt. Johnson discussed issues with law enforcement on Lake Havasu that are commonly misinterpreted. Contrary to misinformation that the public sometimes gets, under Arizona law and under California law, it is the Sheriff's responsibility to provide for boating safety on the waterways within their jurisdiction. It is solely their responsibility – it is not AZ Game and Fish; it is not ASP. It is the responsibility of the Sheriff and the local agencies that have jurisdiction. Thus, that is why they come to ASP each year and request funding from the SLIF and the Law Enforcement and Boating Safety Fund (LEBSF). He doesn't know where they'd be without those funds. He thanked the Board and staff for supporting them through the years – every year, in fact. They have a great working relationship with ASP; they could not do their job without it. Even though the county is responsible for public safety, they get all the help they could ever ask for from ASP and the other agencies, both federal and local.

Lt. Johnson stated that he's been supervising this program for the Sheriff's Office for about 13 years – ever since Contact Point opened. Ten years ago this lake, from a public safety perspective, was unmanageable. It was out of control. They made great strides in that area through aggressive law enforcement and management of social gathering areas. He referred to the photograph of the sandbar and noted that they dealt with that issue several years ago. Their management of that area now includes closure or restriction of that area during holiday weekends. For years Copper Canyon was a problem for the Sheriff's Office and San Bernardino Co. It is now regulated. It seldom creates a problem for any agency now. There have been other regulations and

management issues that they have undertaken. From 10 years ago to now this lake is safe again. Any additional increase to the number of watercraft on this lake could put them behind the curve again. He believes the issue they want to express the most is that if they are going to develop this lake and add recreational opportunities, and then the impact to public safety must be taken into account.

Lt. Johnson stated that impact to public safety and public safety are the top issues that the public has indicated they are very concerned about in the last couple of Arizona Watercraft Surveys. For years this had been known as the most dangerous stretch of water in the US. The Coast Guard touted it as such. As late as last fall he was hearing that the Coast Guard was considering putting a station in Lake Havasu. If they do, there will be additional concerns with room and the facilities at Contact Point.

Lt. Johnson added that he also heard last fall from the Coast Guard that fully 1/10 of the fatalities in this countries occur on the Colorado River. That probably is down from what it used to be if it is, in fact, true. If it is true, then there's still a long way to go. Adding to the problem requires consideration of adding to the law enforcement/public safety efforts. If it involves moving the offices or access to the lake to another location, that's fine, but consideration needs to be given to the new site. He thanked San Bernardino Co. for their assistance and help. They share the same responsibilities as Mohave Co. They have a tremendous working relationship. Any development or change at Contact Point should include their input. They should be involved and an equal partner.

Chairman Porter noted that the current facilities, as they exist for launching, appear to him to be dangerous. He appear to be overused, overtaxed, perhaps the design is not what it should be for current boating use. He asked if he is overstating the issue.

Lt. Johnson responded that there certainly is a need for additional ramps. Every holiday, in fact, they send volunteers over to Windsor to help manage the traffic. He believes that the Chairman is absolutely correct.

Sheriff Sheahan agreed. He noted that the more ramps there are the easier access citizens and visitors will have to the lake. It will make it easier on everyone to put their boats in the water and get them out. There will be a lot less traffic and fewer temper tantrums people throw on major weekends because they can't get in the water quickly. Their main objective is to let them have a good time and enjoy the lake, the great facilities, and to enjoy them safely. The quicker they can get in and out the better it is for everyone.

Ms. Stewart noted she avoids these kinds of congregations of humanity. She has read articles in the news media about Spring Break. She asked for an idea of the number of arrests and fatalities each year.

Lt. Johnson responded that he doesn't have the numbers of fatalities for the entire Colorado River. They average anywhere from 2-5 fatalities per year. It's been a downward trend. Fatalities are not a good measure of success. There could be one boating accident where four people are killed in one accident. It skews the numbers for that year. He prefers to look at injury boating accidents. There's been a steady decline in injury boating accidents on this lake for his agency through the years. They like to hope that's due to education and that people are becoming more aware. They contact far more people than in the past who have a designated operator on a watercraft. They

still have to perform enforcement and are strongly enforcing laws in San Bernardino. That has a lot to do with it as well.

Ms. Stewart asked for an idea of the number of boating injury accidents. Those who don't live in the area have no concept of the size of the problem.

Lt. Johnson responded that years ago they averaged close to 100 injury boating accidents per year. It has decreased substantially. They are currently running in the mid 30s per year. It's down substantially from years ago.

Sheriff Sheahan added that, when also looking at the increased traffic they've had and the increase in visitors and residents, it's a tremendous impact on that scale. That's because of the cooperative effort by all the agencies involved in Lake Havasu or the Lower Colorado River.

Ms. Stewart asked for the number of arrests.

Lt. Johnson responded that arrests are actually up. Arrests for Operating Under the Influence are up considerably from years ago. One of the reasons is that they staff the lake far more heavily than they used to thanks to the funding from the Board for the equipment to do that. They have also changed some tactics. He believes that the main reason for the change is that they are no longer tied up writing accidents any more. It allows them to perform more enforcement. As a result of that, their arrests have gone up. Last year they led the State with 102 OUI arrests. They have a consistent contest each year with Maricopa Co. for that honor. He pointed out that Arizona is recognized nationally as a leader in boating public safety. Last year one of the local Game and Fish Rangers was Boating Officer of the Year for the entire nation. This year one of his officers has been named State Boating Officer of the Year. He hoped that can be maintained through the Regional and National levels. They try to protect and preserve public safety. They are concerned about getting a facility that will take them into the future and be adequate for their needs as well as the need of the other agencies.

Sheriff Sheahan added that he has a great crew of 40-50 Boating Safety Officers, volunteers who live in Lake Havasu City, are thoroughly trained and work with the Deputies on the boats and actually operate the boats enabling the Deputies to board other boats, make arrests, operate portable breath testers, handcuff individuals if necessary, etc. Should there be a drowning, they can operate the dive boat. By utilizing not only their present staff but also this trained group of volunteers, it allows their Deputies to get out and enforce more laws on the waterways. The volunteers work as individuals who help people who need assistance (their boat broke down, need towing, etc.).

Mr. Travous stated he had two points to make. The first is that, because this is for the record, he mentioned yesterday that the coordinated law enforcement here has been a tremendous success. It is a far cry from what it was 10 years ago when there were riots on the island during holidays. The coordinated efforts have helped alleviate that problem.

Mr. Travous stated that his second point related to SLIF. It was the County Sheriffs who got together and came to the Parks Board and said there was a need to not continue to build facilities without recognizing law enforcement has to take place. As a result, the LESBF was created as a portion of the SLIF. Several years ago the SLIF was

amended to allow for the counties to apply for SLIF money to buy their boats so they weren't competing for boats or personnel.

Mr. Travous noted that currently the legislature has been robbing the SLIF. Any help the Sheriff's offices combined can help curb that attitude would be appreciated. This money comes from the gas tax on boaters. It is being siphoned off for other uses. That's just not right. To keep the LEBSF healthy, SLIF needs to be kept healthy. Right now, the SLIF is not healthy.

Chairman Porter noted that Mr. Travous' point is very well taken. At least a portion of gasoline that has gone into every one of the boats shown on all of the pictures in this room has gone into the SLIF. He talked about a meeting he attended with Mr. Hays not too long ago. The local State Senator from this District, who was new to the legislature at that time, asked (in an Appropriations hearing) why all of a sudden they are not getting the kind of funding they should be getting from ASP for some of these things that should be coming out of the SLIF. The co-chairmen of that committee actually dove for the microphone to answer. One of them said he would not let ASP address that question because they would get too much satisfaction from it. He said that the simple bottom line was that the Senator's district was not getting those appropriations because this body has been sweeping those funds year after year and the money is not there. Chairman Porter stated that this is a battle everyone in this room from every agency needs to be aware of. SLIF is vital to all of this. Anytime people have contact with the legislature, it would be helpful if they would take a plug for the importance of that fund being left alone and being permitted to do what it is supposed to do.

Mr. Scalzo asked, hypothetically, whether the Sheriff's Office here, working with some of the other law enforcement agencies, put together a SLIF grant application for a law enforcement center at Contact Point and proceed, once a plan for this area has been agreed to, and build the appropriate operational center.

Mr. Travous responded that he would have to look at the statutes. He doesn't believe the statutes would allow them to do that. The Safety Center was a stretch for the use of those funds when it was built.

Mr. Scalzo asked if the slips for the boats, security for the ramps, and the ramps to be used exclusively for that operation qualify for a grant so that only the land structures would need other funding.

Mr. Travous responded affirmatively. He believes there might be other funding available for those types of things. The language in the statutes gets somewhat tricky. It is certainly worth exploring.

Chairman Porter noted that there are other players who have indicated they might be willing to put funding in. He certainly believes that the private sector has the ability to fund whatever they want without having to worry about meeting these various requirements as long as they work with the Board. He believes that the Tribe also have a stake in this law enforcement being effective in this area. He could see them perhaps partnering.

Lt. Johnson discussed funding a SLIF grant funded project that would be multi-agency or a singular agency. He stated that they attempted to do that a few years ago at Contact Point when they sought funding to put in a gas dock, which is very much needed. They submitted a grant application to ASP staff. Unfortunately, there were

issues with the land tenure. Their lease was only for a few years. They came to find out that ASP's lease on that property did not meet the minimum 19 year land tenure requirement, either. He believes that those are things the Board and ASP could remedy.

Sheriff Sheahan thanked the Board for their support in the past. They will certainly continue to need it in the future.

Mr. Bill Mulcahy, representing Lake Havasu City, addressed the Board. Mr. Mulcahy stated the City's appreciation for the opportunity to visit with the Board. He stated that the boat ramp is 15 years past its prime. The boat launch ramp on the mainland has been an issue for a long time. The City is very excited about being a partner in this project. He noted that over the past 5-8 years those boats depicted in the photographs were still here and were all getting off at Windsor Beach or Site 6. Prior to the renovation of Windsor Beach, one could launch there but could barely drive through there because the streets on both sides were full of cars and trailers. Since Windsor Beach was remodeled those cars are off the street. The City is considering widening London Bridge Road now because they have room to do it.

Mr. Mulcahy stated that this same concept came up 3-4 years ago. As the Executive Director indicated, there was an MOU between the State Land Department and BLM that blew the project out of the water because it couldn't be resolved. A lot of momentum was lost. Now we have the present. There are six launch ramps available right now. Four of them are private with no public access. There is the Board's launch ramp, which closes between 9:00 and 10:00 a.m. on the big holidays because they are full, to capacity. There is the City's launch ramp at Site 6 – the best bargain in the state. It's a two-lane launch ramp and it's free.

Mr. Mulcahy referred to a photograph of Site 6. There is a line of cars coming up and making a big loop, coming down and backing in to two lanes. The parking lot will hold approximately 150 cars, trucks, and trailers. Everyone who comes here loves Site 6 because all the land around it except for the RV park is barren State land. They can park anywhere they want. The Police Department has one-way traffic that goes over the bridge, takes the right side, and from Crazy Horse to Site 6 will be a line of boats, trucks, and trailers trying to get in and launch two at a time. There is a new housing development in the middle of the island going on as we speak. He believes it will have about 340 new homes in the center. Arizona State Land (ASL) owned all of the land around the outside. The City feels that will become developed within the next 5-10 years. Site 6 will be maxed out at 150 because there will be no room to park.

Mr. Mulcahy stated that that leaves the City with a problem with all those people shown in those pictures trying to find a place to launch. The present is already here, and needs to be fixed. For the future, there have been discussions today and yesterday and will continue. The City has always been committed to be a partner in this program. The City's commitment would be to provide the infrastructure (sewer, water, street). They would certainly like to use SLIF if at all possible. They like Contact Point. The City would be very happy with 12 lanes of boat launching and parking. They would even be happy with 8 lanes. With what the Board has heard yesterday and today, it could be a lot better than that. Mr. Komick has discussed commercial endeavors. The partnership discussed the visitors center. He spoke with Mr. Knotts about three years ago about making the present Safety Center an educational station to be used by the high school as part of their science program for water studies and flora and fauna

studies. He discussed with Mr. Woods of the Tribe having their visitors center right there. The Board's building could be the visitors center because the parking is already there. There have been discussions about a marina, an educational visitors center, and the launch ramp. This concept has now grown into a facility that is more useful as a multi-use facility by every agency. Obviously, in terms of the City's interest, they would be very excited about doing it.

Mr. Mulcahy added that three years ago the Shoreline Commission was put together by the City Council to set the City's priorities. The number one priority was to acquire as much shoreline as possible. That endeavor has begun with the Board's help. They got London Bridge Beach. Through the Board's help, they hope to obtain Body Beach, the extension of Rotary Park, which will give them 17 more acres of additional shoreline. After that, they are tapped out in terms of public land unless they purchase it from ASLD at \$200,000-\$300,000 an acre. This is an opportunity for the City to buy into this program and to assist and be a part of this project.

Mr. Mulcahy stated that he believed the Tribe has a huge offering with 400,000 people going across the lake and coming back on an annual basis. That visitors center could be a huge draw for people to either use the boat launch ramp area or visit.

Mr. Mulcahy noted that it is amazing all that Maricopa does in terms of recreation, families, and parks. The City is slowly getting the drift. The City is in the process of finalizing a Master Trails Plan. The number one priority is to partner with ASP and run a trail through Windsor Beach all the way to the Refuge. The second part of that plan is to go south through the proposed Rotary Extension of Body Beach down through Black Rock, run it down through Contact Point, continue down to Sara Park and end up at the Refuge. That is the goal and is included in the Master Trails Plan. Besides moving the social activities of the borders down the lake, it adds something for the non-boating community to take advantage of.

Mr. Mulcahy thanked the Board for their participation in Lake Havasu for years and years. The City hopes to continue that relationship. This would be a huge project for this City.

Chairman Porter noted that Mayor Jackson was present yesterday for the tour of Contact Point. He apologized profusely for not being able to be present today. The Board was very grateful for his attendance and sharing of his thoughts yesterday.

Mr. Scalzo asked if there are any plans by the City to have a special bond issue or a special sales tax that could help with some of this expansion – the trails, creating more lanes at Contact Point.

Mr. Mulcahy responded that the Council and the City are going through the growing pains of development fees, incentives, etc. They have talked very briefly about special improvement districts and those kinds of things. They have not yet had those discussions Mr. Scalzo is talking about. He thinks that is in the future. He noticed that Phoenix has another bond issue going that will include parks. They have been very successful in doing that. He believes their Council is headed in that direction.

Mr. Scalzo noted that a more successful and quicker way to do it is with a small sales tax (or a percentage of it) dedicated to these types of trails and water improvements. That's paid by the visitors, too, rather than just the local residents. It really is beneficial; it is very minimal but produces more money from more people.

Mr. Mulcahy responded that that's a good idea. Their Tourism Bureau grabs quite a bit of their sales tax. There might be an opportunity to get some of that money for this.

Chairman Porter noted that Mr. Scalzo certainly has expertise in this field. He heads up the Maricopa County Parks operations.

Ms. Stewart stated she had a couple of questions. She asked if the City has any plans to increase or add launch ramps to any other City parks or land.

Mr. Mulcahy responded that they have lake access off of Rotary Park, but it is very shallow. It's not a good site. Site 6 might be an opportunity for the City. There's no room where the present two lanes are. There may be an opportunity to do something on the other side of Site 6. There might also be a possibility for a safety center. They've talked about those kinds of things, but they don't have anything concrete at this time. They've talked about charging for parking at Site 6; they've talked about putting in a convenience store and gas pump. There are some restrictions because of the agreement they had for getting the property. Other than that, there is no City property to put ramps on. That's why Contact Point looks so nice to the City. While the City doesn't have a place to put a first-class launch ramp, they can participate by doing other things.

Ms. Stewart asked if the City were to acquire Body Beach it would be more of a picnic areas.

Mr. Mulcahy responded it is a walking trail/picnic area. They know for sure that the Corps of Engineers will not allow them to put anything at Body Beach. Body Beach presently is the City's free jet ski practice area. The people who have been using that site for the past 25 years have been going over State land and launching for free and practicing in that area prior to the International Jet Ski races that go on in Lake Havasu. That will be shut off to them very soon. They have an application in for Campbell Cove, up the road and north of Windsor Beach, for the jet ski people for their use. In answer to the questions, the City does not believe they can put anything in at this point.

Ms. Stewart noted the mention of allowing the high school to use the environmental education center.

Mr. Mulcahy responded that in Montana, where he came from, there were to teachers who gave credit. They kept the kids for week. All the kids did was scientific experimentation. The lake up there was Canyon Ferry. It could very well be called Lake Havasu. It's exactly the same terrain, behind a dam, few launch ramps, few trees. They created an institute for high school kids. If they got a certificate from that camp, it does nothing but improve chances for college entrance. It's a great possibility. There have not been any discussions with the district about that idea yet.

Ms. Stewart asked if the City would be as willing to support that as the launch ramps.

Mr. Mulcahy responded that he believed they would be more than happy to support it. It is another area where the City could partner with the school system. They have an IGA in place already. This could become part of that IGA. He doesn't see a problem.

Chairman Porter asked staff to give a brief recap and staff response to some of the data the Board has received.

Mr. Ream stated that he would like to respond in three points. The first is Needs. In no particular order, the needs are: public ramp and parking; visitors center; a public safety facility; a marina facility; private sector concession; creation of a destination near

Contact Point to draw some of the traffic away from some of the other areas; and a ferry dock.

Mr. Ream stated that, regarding operations, he believes it could be operated with about 20% ASP participation, 30% multi-agency participation, and possibly 50% from the private sector. This is quite a departure from what is being done at the current park facility. It is a big shift for this agency.

Mr. Ream stated that his final point is Tactics for implementation. One is to look at the engineering necessary to accommodate these various needs; the suitability of providing these things at this point. While staff may want a marina there, it is unknown if that site is suitable for a marina. Because it is staff's duty to look at the environmental and cultural aspects of what was there and what is living there, staff will need to be sure they do not disturb that. Safety is important. Staff must determine if this is a safe harbor and a safe place to do what must be done. This may be the only place to do this, but there may be a need to make it safe. Once staff have all that information, they can begin looking at a price list. It is easier to put together funding once there is a price list to look at.

Chairman Porter stated that he was opening the floor for Board discussion with an eye toward perhaps some kind of motion or resolution that would at least start the investigative process.

Ms. Stewart stated that after the tour yesterday she prepared a motion to get things going.

Board Action

Ms. Stewart: I move that Executive Staff appoint a multi-disciplinary team of Arizona State Parks employees to prepare a preliminary resource management plan for Contact Point at Lake Havasu. The team shall evaluate various possible uses of the resource, including but not limited to: mainline launch ramp, multi-agency environmental education center, nature preserve, marina, and ferry dock. In evaluating the possible uses the team shall consider, among other things: Arizona State Parks' vision; the impact on the resource; the impact on the safety congestion problem currently existing on the water; whether the various uses will alleviate, add to, or affect in any way safety and congestion; the projected population; projected water carrying capacity; the projected changes in surrounding land use for periods of 5, 10, and 25 years; the operation of existing public safety center; what uses would most likely attract local Arizona residents and Arizona residents from other parts of the state.

Chairman Porter asked for a second to the motion.

Mr. Hays asked if the motion was limited to those things listed.

Ms. Stewart responded that it stated, "shall include but not be limited to". These are things that were specifically mentioned. She wanted to ensure they were looked at. Obviously, the Board would want staff to look at other possibilities.

Chairman Porter asked for a second to the motion. There being no second, the Chairman seconded the motion.

Ms. Stewart stated that her thought is that it's important to look at all of these things and start off with an in-house team. They did a fantastic job of their evaluation of the climbing park. They are part of implementing the new Vision. She would be hesitant at

this point to contract this out. Down the road there would be information and studies that would need to be contracted out. To simply turn this over to someone else at this time would not be in the Board's interest. The Board's team would oversee this.

Obviously, the staff will not perform the engineering studies or some of the feasibility studies. Staff should take a look at all of these things and add or subtract from the list of possible uses.

Mr. Scalzo stated he likes the concept of Ms. Stewart's suggestion. He has some concerns. One is the agency's budget and time available to do things. He wants to do this right. Today's discussion clearly illustrates a dramatic need to move forward with some haste. However, at the same time, he heard Mr. Komick offer private resources to help hire someone to do a first-class study managed by staff. He believes it is key that these people are professionals and can manage a study and give it back to the Board. Private resources would be used to bring together a great consulting team. That's how it's done in business. By loading it on the staff, he's not sure they can give the Board the product the Board wants as rapidly. The motion keeps it internal. He would like to involve the City, the County, and other governmental entities in this study at the table. When they're brought to the table at the beginning, they bring their resources with them. The Board needs their resources. He asked if the motion can be amended to make it something that would allow the Board to do a study covering these, and perhaps other, issues; bring our partners into it; and have private funding pay to have the study done under the Board's direction.

Mr. Hays stated that Mr. Scalzo put it much better than he could. He hates to micromanage staff. Putting this as a list of issues to be covered in whatever form is most expedient and cost effective is an excellent idea. There are things that must be covered, but he would like to leave staff some freedom to operate in achieving the goals.

Ms. Stewart noted that the motion includes the word, "preliminary" plan. She thinks it's important since this is ASP property and we're talking about a state park that the Board received input. It is important that the first pass at this be in-house; that the Board look at it and then hire someone to do what Mr. Scalzo is talking about. She would prefer to first refer this to the team that put together the preliminary study done on the climbing park and look at those issues from an ASP standpoint. She believes that can be done relatively quickly and without draining staff's resources. Staff would help design what would be contracted out.

Mr. Hays responded that he feels what Ms. Stewart just said is what staff do and have done for years and years. He has always been very impressed with the fact that they are capable of envisioning these things that are listed in the motion. The fact that they are written down in a form staff can tick off is good, but give staff complete freedom of what order and how they do it. He is not arguing with the points of the motion; he is arguing with mandating a specific process to staff because time and money is of the essence.

Ms. Stewart responded that she believes there is a fair amount of time that's required to contract out, too. She is saying that she would like to see the same people, or a very similar, team work on developing what is in essence the RFP.

Chairman Porter asked the Executive Director's reaction to the motion and where staff would be coming from.

Mr. Travous responded that staff do not have a lot of the expertise, but do have the essential expertise. That is, to come back to this Board with what should be a scope of what the contract should look like. Staff will have to wrestle with some things internally. This property is worth a lot of money. What happens there is not just what happens to the property the Board owns but all the property around it as well. There are vested interests all around. It may be the most valuable property the Board has that could affect so many people. It could do a disservice to put it into staff's hands only, as talented as he believes staff are. He believes that staff can come back to the Board with a scope based upon what they know –what they see – and come back to the Board with a scope and a cost. He believes this project will run about half a million dollars. He would like to talk with his counterpart in California to see if she will pony up some money for this project. This is a big deal. Staff can bring the scope together, based upon the things that were said and with recommendations.

Chairman Porter stated that he did not read the motion as limiting where staff would go and that they would be free to bring any additional resources they wished.

Ms. Stewart responded that her whole point was she like the way staff handled the last couple of resource management plans where staff brought in people from throughout the agency rather than just one or two people drafting up an RFP and sending it out. She agrees that this is a very important decision not only for this piece of property, but for the entire community and the state parks system. That's why, before the Board takes a second step, she wants to give as many people in the agency as possible a formal opportunity to put their expertise into it. After all, that's why they are on staff. She has no problem changing the motion to read "scope of a resource management plan".

Mr. Travous responded that it would the scope of the issues to be included in a future management plan.

Chairman Porter, as second, accepted that change to the motion. He noted that the Board needs to keep in mind that we are embarking on something that is totally different from anything ASP has ever tried to do in its importance, its impact on a community, and with so many potential partners. We could be creating a blueprint for other places and things. He also adamantly agrees that time is of the essence. All of these entities are coming together, anxious and interested with clear needs and emergencies and problems. He does not want to lose track of it. He wants it moving along. It would be great if staff could come back to the Board in April in Tucson. He was prepared to suggest even May.

Mr. Travous responded that, to be clear, staff will not come back to the Board with what they think should happen. Staff will come back to the Board with all the things that need to be considered in the process of putting this project together.

Chairman Porter stated that he would like a methodology and recommendations of what the next steps should be, as well.

Ms. Stewart also asked for issues staff see with the various uses.

Mr. Cordasco requested that the motion be read prior to a vote being taken. He also noted that Ms. Stewart has been referring to this as a resource management plan. In this particular case, he's not so sure that defines it as accurately as it should be. He wouldn't want to confuse staff with the resource management plan as opposed to a resource management plan, a development plan, and a regional plan. He's not sure

what the proper term would be, but it is quite broader than a resource management plan.

Chairman Porter asked if staff felt it is broad enough and whether staff have a mandate to look at this project from every angle and come back unfettered by some specific limitation.

Mr. Travous responded that staff was just given that.

Ms. Stewart stated she want the Board's staff to look at it from a resource management plan and then bring in the rest of the stuff. She suspects that lot of the other agencies have already looked at it throughout their agencies from a perspective of what they would like to see happen. The Board has looked at it perhaps from the perspective of what the regional manager and a small part of Executive Staff see. However, a lot of other people in the agency have not been included such as the interpretive education staff, the staff in Resource Management, etc. She was thinking as a first step it should be focused on.

As requested, Ms. Stewart re-read her amended motion as follows:

Ms. Stewart: I move that the Board appoint a multi-disciplinary team of Arizona State Parks employees to prepare a scope for a future resource management plan for Contact Point at Lake Havasu. The team shall evaluate various possible uses of the resource, including but not limited to: mainline launch ramp, multi-agency environmental education center, nature preserve, marina, and ferry dock. In evaluating possible uses the team shall consider, among other things: impact on the resource; impact on the safety congestion problem currently existing on the water; whether the various uses will alleviate, add to, or affect in any way safety and congestion; the projected population; projected water carrying capacity; the projected changes in surrounding land uses for periods of 5, 10, and 20 years; the operation of existing public safety center; the operation of the existing public safety center; and what uses would most likely attract local Arizona residents and Arizona residents from other parts of the state.

Mr. Cordasco asked that the motion be amended that it simply say "management plan" rather than "resource management plan".

Ms. Stewart accepted the amendment. The Chairman, as the second to the motion, accepted the amendment.

Mr. Travous stated that, before the Board voted on the amended motion on the floor, he wanted to be sure the Board understands that he is not sure staff can bring the Board 5-, 10-, and 20-year projections.

Ms. Stewart responded that she understands that. That is something staff would have to contract out. Staff do not have the capacity to do that.

Chairman Porter stated that, in summary, he understands this motion to essentially be a very loud endorsement by this Board that they recognize this is a critical piece of its property; it desperately needs to be developed into something – probably with a fair amount of concentration and speed but carefully enough to where it is being done right and that it will be used for its best purposes to satisfy as many needs as possible.

Ms. Stewart agreed and suggested that May is a more realistic time frame for staff to come back to the Board on this.

Chairman Porter called for a vote on the motion on the floor.

The motion carried unanimously.

Chairman Porter thanked everyone who came to this meeting today. This may be the beginning of one of the most exciting in northwestern Arizona in perhaps 40 years.

Chairman Porter called for a recess at 11:17 a.m.

Chairman Porter reconvened the meeting at 11:23 a.m.

F. EXECUTIVE STAFF UPDATES

4. Update on Climbing Park

Mr. Travous noted that he provided the Board with information yesterday regarding the Bill on the climbing park. He reported that the Bill did pass out of the State House yesterday 5-0 with two absent and not voting. Mr. Jay Ziemann, ASP staff, Mr. Bruno Hegner, Resolution Copper, and a representative from ASARCO testified for the Bill and all said that this is a work-in-process and that the Bill before them was not perfect and still needs a lot of work to be done. There needed to be a hearing or the Bill would not be heard this session. Negotiations continue. There are a lot of liability questions the Bill that was passed. He talked to Mr. Ziemann about having Risk Management look at the language to see how much risk the State would accept.

1. Memorandum of Understanding (MOU) with Arizona Historical Society

Chairman Porter noted his understanding that Mr. Travous and Ms. Anne Woosley have met on the MOU with Arizona Historical Society (AHS).

Mr. Travous responded affirmatively. He reported that they decided to get together with their staffs before coming back to the Board. Ms. Woosley has some amendments that will pass muster better with the legislature. From that standpoint alone, they should get together with their respective staffs. Work continues.

Chairman Porter added that Ms. Woosley extends an apology to the Board for not being able to move forward as quickly as the Board due to illness. She will give it the attention it deserves. She is extremely excited about it and enthusiastic. He tabled this issue for possible adoption at the April meeting in Tucson since both entities will be meeting there at the same time. It would be easy if both organizations pass that MOU to have a joint signing ceremony.

6. Vision and Design Update

Chairman Porter noted that the Board needs to take a hard look at the Vision and Design Update. He invited the Board members to discuss any concerns or thoughts with the Executive Director prior to the next Board meeting.

Ms. Stewart stated she felt it was somewhat thin on details. The report the Board received in November had one or two sentences that gave a real sense of what actually happened. Something more than the word "done" is needed. An explanation of what has actually occurred would clear up a number of her questions. If the Board could receive that in the next week or so, it would be helpful.

Mr. Travous responded that he could not promise that information within the next week or so but he would do it post haste.

Chairman Porter noted that it might be an appropriate time for the Board to go into Executive Session at this time.

G. EXECUTIVE SESSION – Upon a public majority vote, the Board may hold an Executive Session which is not open to the public for the following purposes:

- 1. To discuss or consult with its legal counsel for legal advice on matters listed on this agenda pursuant to A.R.S. §38-431.03 (A)(3), including:**
 - a. Robertson Lawsuit**
 - b. Mabery Easement Dispute Litigation**
- 2. To discuss or consult with its legal counsel in order to consider its position and instruct its attorneys regarding the Board's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation pursuant to A.R.S. §38-431.03 (A)(4)**
 - a. Mabery Easement Dispute Litigation**

Ms. Hernbrode stated that Mr. Cordasco might have some questions that may be appropriate prior to going into Executive Session.

Mr. Cordasco asked for an update on what the Maberys are currently doing operationally and whether they have any future plans.

Mr. Travous responded that he has not heard anything in that regard. His assumption is that they are going on and are operating as they have been. Staff have not interfered with their operations. He has not heard of any other discussions of their expanding. It appears to be *status quo*.

Ms. Hernbrode added that that is indeed the case. However, just prior to coming to Lake Havasu she heard from the Manager at Dead Horse Ranch State Park saying the Maberys had come to speak to him about starting to use the access easement the jury gave him across Tuzigoot Road. She was not able to reach the Park Manager. She and Mr. Morrow left him a message asking what it is that they are asking to do. Up until this point they have not expanded their operation one iota.

Mr. Cordasco asked if their desire in the past was to expand.

Mr. Travous responded that was what they stated. He is not sure whether that was a real desire or if it was to give their lawsuit more impetus.

Mr. Cordasco asked if, as an ongoing enterprise there, it is relatively successful and has future opportunity.

Mr. Travous responded that he believes that the testimony from the experts the Board brought in was that it was failing and was not successful and could not be sustained.

Mr. Cordasco asked what a healthy scenario would be regarding a relationship between the Maberys and ASP in the future.

Mr. Travous responded that he believes there are a lot of personal hard feelings involved now. He doesn't know that any legal remedy will ease those personal feelings of animosities that have built up by the Maberys.

Mr. Scalzo made a motion to go into Executive Session. Mr. Cordasco seconded the motion. The motion carried unanimously.

The Board went into Executive Session at 11:30 a.m.

Chairman Porter reconvened the meeting at 11:58 a.m.

H. ACTION ITEMS FROM EXECUTIVE SESSION

1. Robertson Lawsuit

Ms. Hernbrode stated that counsel are not requesting for any decision today on the Robertson lawsuit.

2. Mabery Easement Dispute Litigation

- a. The Board will consider and may vote on whether to appeal this matter to the Arizona Court of Appeals.**

Ms. Hernbrode stated that counsel would like direction today from the Parks Board as to whether or not they wished to appeal the non-monetary portion of the Mabery case.

Board Action

Mr. Hays: I move that the Board support the Appeal from the Mabery case.

Ms. Stewart seconded the motion. She questioned whether the motion should say that the Board “appeals” rather than “support the Appeal”.

Ms. Hernbrode responded that she is comfortable with either language. She understands that the Board’s intent is that counsel move forward with an Appeal.

Mr. Hays congratulated Ms. Hernbrode and Mr. Morrow. They did a marvelous job on the case and he was stunned with the verdict. They should not have lost that case. They did an excellent job.

Chairman Porter added that the Board would be remiss if they did not also point out Mr. Hays’ tremendous support in that process. He went way beyond anything a Board member would normally be expected to do in attending the trial and the other things he did. He’s heard repeatedly from the attorneys that it was a tremendously good thing from their viewpoint. The Board also appreciates that effort and input as well.

Chairman Porter called for a vote on the motion on the floor. The motion carried unanimously.

F. EXECUTIVE UPDATES

2. Update on Legislation

There was no discussion on this update.

5. Pay Raise

Chairman Porter noted that the Board has a copy of the memorandum on pay raises. It is just informational. He’s not sure what more could be said other than that he feels sorry for the employees. They are once again caught between the proverbial rock and a hard place.

3. Potential Name Change – Yuma Crossing State Historical Park

Ms. Stewart stated that she had a couple of comments on this issue. She is just concerned that Fort Yuma Quartermaster Depot State Historic Park is too long. It needs to be more succinct. She believes that Yuma Quartermaster Depot is sufficient. She understands that some people want to have the word "Fort" in there because of the military thing. Anyone knows that "Quartermaster" is military. Those people who go around the country doing military reenactments knows that. There actually is a Fort Yuma and it's at a different location. To call this park "Fort Yuma" Quartermaster Depot would be, in her opinion, confusing to those who are most knowledgeable.

Ms. Stewart recommended that the word "Fort" be omitted.

Chairman Porter asked if staff wanted a decision from the Board on this issue today.

Mr. Ream responded he was not looking for a decision today. He wanted to bring the issue before the Board. It was discussed somewhat when the Board met in Yuma. He will take these ideas back to the staff who presented it to him. If they can come to an agreement, they will bring it back once more with a recommendation and staff motion.

Chairman Porter stated he agrees with Ms. Stewart. It is quite a mouthful.

Ms. Stewart noted that she does agree that there is a need to change the name. The typical person doesn't know what "Yuma Crossing State Historic Park" is all about and has no way of determining whether or not to visit.

Ms. Hernbrode advised the Board that any name change would have to go past the Board of Geographic & Historic Names. They have already indicated their intense interest in cooperating with this Board. She understands that a letter from ASP stating it wants to change the name may be entirely sufficient to accomplish a name change.

I. CALL TO THE PUBLIC

There were no more public present who wished to address the Board.

J. TIME AND PLACE OF NEXT MEETING AND CALL FOR FUTURE AGENDA ITEMS

1. Staff recommends that the next Arizona State Parks Board Meeting be held in Oracle, AZ on March 16, 2006.

Chairman Porter noted that the next meeting will be in Oracle, AZ. The November meeting, therefore, will be in the Sonoita Creek area. The Board still needs identification from the Executive Director of the date in August for the conference that he views as a Parks Board meeting *de facto* in the sense that he would like to see as many of the Board members as possible in attendance.

Mr. Ream responded that the TTC is tentatively scheduled for August 15th, 16th, and 17th in Tucson. No contract has been signed as of today.

Chairman Porter asked the Board to put those dates on their calendars.

Mr. Ream noted that there is no reason for all the Board members to be there all three days. There will be a great agenda and a specific point where the Board would participate.

Ms. Stewart stated she had three things she'd like included on the Agenda for March. She noted at the last meeting that she'd received some phone calls and letters from people interested in ASP looking at the Los Robles Archaeological District in Sierra

Prieto Peak. They would like to address the Board. There are possible partnerships. She would like to have that included on the Agenda. Since most of those people are from Southern Arizona it would be appropriate to hear from them then.

Ms. Stewart stated that in July 2005 the Board had a report on the Management Plan. She would like an update on the Management Plan for San Rafael Ranch. She would like to know what has happened since that meeting. She would also like a report on actions taken by ASP to ensure the safety of staff and volunteers at San Rafael.

Ms. Stewart stated that she would like to see the proposed grazing policy. She knows that NAPAC is finished with it. It's been more than a year since the Board referred it back to NAPAC.

Ms. Stewart noted that the Board had put off the Marana Conservation Easement Amendment. She asked if March or April is more appropriate to re-examine that issue.

Ms. Hernbrode responded that she expects to be ready next month or at the Board's convenience.

Mr. Scalzo noted that he will be out of town on March 16 and will be unable to make that meeting.

Chairman Porter suggested that it is time to catch up on where things stand with the ASP Foundation – especially the agreement. He hasn't heard anything on it for a while and doesn't want to lose track of it. That issue should probably be on the Agenda.

Chairman Porter noted that one of the reasons the meeting in April is being held in Tucson is that it is on the starting day of the State History Convention. Mr. Travous will again make a presentation at the Saturday luncheon. Senator DeConcini will give the opening plenary speech that afternoon. Governor Napolitano is currently scheduled as the evening speaker. It offers a lot of opportunity. A lot of ASP staff will make presentations. He will provide copies of the program and registration materials to the Executive Director.

K. ADJOURNMENT

Mr. Scalzo made a motion to adjourn. Mr. Cordasco seconded the motion. The motion carried unanimously. The meeting was adjourned at 12:12 p.m.

Pursuant to Title II of the Americans with Disabilities Act (ADA), Arizona State Parks does not discriminate on the basis of a disability regarding admission to public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting the ADA Coordinator, Nicole Armstrong-Best, (602) 542-7152; or TTY (602) 542-4174. Requests should be made as early as possible to allow time to arrange the accommodation.

William C. Porter, Chairman

Kenneth E. Travous, Executive Director